

Remarks

The Office Action mailed August 4, 2008 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-4 and 6-38 are now pending in this application. Claim 5 was previously canceled. Claims 1-4, 6-11 and 34-38 are withdrawn. Claims 12-33 stand rejected. Claim 17 stands objected to.

The objection to Claim 17 under 37 CFR 1.75(c) as being of improper dependent form is respectfully traversed.

Claim 17 has been amended to recite a method to address the issues noting in the Office Action. Accordingly, Applicant submits that Claim 17 is in proper dependent form and meets the requirements of Rule 1.75(c).

The rejection of Claims 12-14 and 16-23 under 35 U.S.C. § 101 is respectfully traversed. Claim 12 has been amended such that it is tied to a machine or apparatus. Claims 13, 14 and 16-23 depend from Claim 12. As such, these claims are tied to a machine or apparatus due to their dependence from the amended independent claims. For these reasons, Applicant respectfully requests that the Section 101 rejections of Claims 12-14 and 16-23 be withdrawn.

The rejection of Claims 12-21, and 23-33 under 35 U.S.C. § 102(e) as being unpatentable over Goldhaber et al. (U.S. Patent No. 5,855,008) is respectfully traversed.

Goldhaber et al. describe a system for distributing advertising over the internet. In this system, a user creates an account using personal contact information which is stored on a database. The user then creates an interest profile that is linked to the personal contact information stored on the same database. Advertisements are then sent to the user based on the user's interest profile. The advertisements allow the user an option to sell their personal information to the advertiser based on the user's approval. Upon a user's approval to sell personal information, the system sends the advertiser the user's personal contact information linked to the interest profile. Notably, Goldhaber does not describe or suggest a method of

providing only a single questionnaire to a consumer including questions asking only non-identifying information concerning the consumer.

Claim 12 recites a method for generating a database of personalized anonymous consumer profiles, said method comprising, “providing a questionnaire to a consumer, the questionnaire accessible utilizing a computer communicatively coupled to a server that includes a database for storing the questionnaire, the questionnaire including only questions having a nature such that answers to the questions include only non-identifying information concerning the consumer”, “accepting answers to the questionnaire at the server from the computer, the answers entered via a user interface displayed by the computer, the user interface configured such that only answers containing non-identifying information may be entered into the user interface”, “configuring the received answers as a consumer profile database, stored in the server database”, “providing advertisements to the consumer, via the computer user interface, based on data within the consumer profile database”, “receiving feedback on the advertisements, at the server” and “updating the consumer profile database based on the received feedback”.

Goldhaber et al. do not describe or suggest a method for generating a database of personalized anonymous consumer profiles as recited in Claim 12. More specifically, Goldhaber et al. do not describe or suggest a method for generating a database of personalized anonymous consumer profiles including providing a questionnaire to a consumer, the questionnaire accessible utilizing a computer communicatively coupled to a server that includes a database for storing the questionnaire, the questionnaire including only questions having a nature such that answers to the questions include only non-identifying information concerning the consumer and accepting answers to the questionnaire at the server from the computer, the answers entered via a user interface displayed by the computer, the user interface configured such that only answers containing non-identifying information may be entered into the user interface.

Rather, and in contrast, Goldhaber et al. describe creating an account to store personal contact information and then creating an interest profile associated to the personal contact information. Further, Goldhaber et al. describe using multiple questionnaires to obtain information, including the non-anonymous personal contact information. In addition to describing multiple questionnaires tied to one another, Goldhaber et al. describe at least one of

the questionnaires as collecting personal contact information, in contrast to the present invention of accepting answers to a questionnaire such that only answers containing non-identifying information may be entered into a user interface. The answers that make up the personal contact information, though stored separately, are linked to the personal profile answers in Goldhaber. At Column 13, lines 40-60, Goldhaber et al. describe a filtering function which purports to prevent the contact information from being accessed, but it is well known that such systems can be overcome.

For these reasons Claim 12 is submitted to be patentable over Goldhaber et al.

Claims 13-21, 23, and 24 depend, directly or indirectly, from independent Claim 12. When the recitations of Claims 13-21, 23, and 24 are considered in combination with the recitations of Claim 12, Applicant submits that dependent Claims 13-21, 23, and 24 likewise are patentable over Goldhaber et al.

Claim 25 recites an anonymous consumer profiling system comprising at least one computer, a database and a web server including a user interface. The system is configured to “provide only a questionnaire relating to non-identifying information to a user”, receive answers to the questionnaire from the user, said user interface configured such that only non-identifying information may be entered into said user interface as answers to the questionnaire”, “configure the received answers as a consumer profile associated with the user within said database”, “provide advertisements to the user based on the consumer profile”, “receive feedback on the advertisements from the user, said user interface configured such that only non-identifying information may be entered into said user interface as feedback on the advertisements” and “update the consumer profile based on the received feedback, said computer configured to maintain an anonymity of the consumer at all times”.

Goldhaber et al. do not describe or suggest an anonymous consumer profiling system as recited in Claim 25. More specifically, Goldhaber et al. do not describe or suggest an anonymous consumer profiling system configured to provide only a questionnaire relating to non-identifying information to a user, and receive answers to the questionnaire from the user where the user interface configured such that only non-identifying information may be entered into the user interface as answers to the questionnaire.

Rather, in contrast, Goldhaber et al. describes creating an account to store personal contact information and then creating an interest profile associated to the personal contact information. Further, Goldhaber et al. describe using multiple questionnaires to obtain information, including the non-anonymous personal contact information. The answers that make up the personal contact information, though stored separately, are linked to the personal profile answers in Goldhaber. At Column 13, lines 40-60, Goldhaber et al. describe a filtering function which purports to prevent the contact information from being accessed, but it is well known that such systems can be overcome and/or compromised.

In addition to describing multiple questionnaires, Goldhaber et al. describe collecting personal contact information. However, the presently pending claims are directed to receiving answers to a questionnaire from a user via a user interface such that only non-identifying information may be entered into the user interface as answers. By never accepting any type of personal contact information, an identity of a user cannot be compromised.

For these reasons Claim 25 is submitted to be patentable over Goldhaber et al.

Claims 26-33 depend, directly or indirectly, from independent Claim 25. When the recitations of Claims 26-33 are considered in combination with the recitations of Claim 25, Applicant submits that dependent Claims 26-33 likewise are patentable over Goldhaber et al.

For the reasons set forth above, Applicant respectfully requests that the Section 102 rejection of Claims 12-21, and 23-33 be withdrawn.

The rejection of Claim 22 under 35 U.S.C. § 102(e) as being unpatentable over Goldhaber et al. in view of Kepecs (U.S. Patent No. 6,009,411) is respectfully traversed.

Goldhaber et al. is described above.

Kepecs describes a method and system for distributing and redeeming electronic promotions for a consumer. An account is maintained for each consumer and a key is associated with each account. Access to the account is made available upon presentation of the key over a network. Upon gaining account access, a consumer is given discount choices for items from

which to purchase. Upon purchase of items by the consumer, data is received, selections are tracked and purchases are reconciled to record a credit in the consumer account.

Claim 22 depends directly from Claim 12, which is recited above.

Neither Goldhaber et al., nor Kepecs, describe or suggest a method for generating a database of personalized anonymous consumer profiles as recited in Claim 12. More specifically, neither Goldhaber et al. nor Kepecs describe or suggest a method for generating a database of personalized anonymous consumer profiles including providing a questionnaire to a consumer, the questionnaire accessible utilizing a computer communicatively coupled to a server that includes a database for storing the questionnaire, the questionnaire including only questions having a nature such that answers to the questions include only non-identifying information concerning the consumer and accepting answers to the questionnaire at the server from the computer, the answers entered via a user interface displayed by the computer, the user interface configured such that only answers containing non-identifying information may be entered into the user interface.

Rather, in contrast, Goldhaber et al. describes creating an account to store personal contact information and then creating an interest profile associated to the personal contact information and Kepecs describes redeeming electronic promotions by accessing a consumer account with a key that is associated with that account. Further, Goldhaber et al. describe using multiple questionnaires to obtain information, including the non-anonymous personal contact information. In addition to describing multiple questionnaires, Goldhaber et al. describe collecting personal contact information, in contrast to the present invention of accepting answers to a questionnaire such that only answers containing non-identifying information may be entered into a user interface.

For these reasons Claim 12 is submitted to be patentable over Goldhaber et al. in view of Kepecs.

Claim 22 depends directly from independent Claim 12. When the recitations of Claim 22 are considered in combination with the recitations of Claim 12, Applicant submits that dependent Claim 22 likewise is patentable over Goldhaber et al. in view of Kepecs.

For the reasons set forth above, Applicant respectfully requests that the Section 103 rejection of Claims 22 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert E. Stenker", is written over a horizontal line.

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